

Original Birth Certificate Availability to Adoptees

On May 27, 2014, Governor Christie amended the vital records law to allow an adult adoptee, whose Original Birth Certificate was placed in a "sealed file," to obtain a non-certified copy of that Original Birth Certificate. P.L. 2014, c. 9.

Does an adoptee receive a new birth certificate after his/her adoption is finalized?

Yes. At the time an adoption is finalized, an amended birth certificate, known as the Official Birth Certificate, is issued. The Official Birth Certificate lists the adoptive parents as the mother and father and may have changed the actual place of birth to the adoptive parents' residence. The Official Birth Certificate replaces the Original Birth Certificate, and the Official Birth Certificate is the legal record of birth. The Original Birth Certificate and evidence of adoption are in a "sealed file."

When can adoptees get their Original Birth Certificate?

The new law is effective January 2017.

Who else may request a copy of the Original Birth Certificate?

Access to this document is limited to those eligible to apply (applicant) for the Original Birth Certificate:

- Adult adoptee;
- A direct descendent, sibling or spouse of the adopted person;
- An adoptive parent, legal guardian, or other legal representative of the adopted person; or
- An agency of the State or federal government for official purposes.

It is NOT open for public access.

How can adoptees request their Original Birth Certificate?

A form to request an Original Birth Certificate is being developed based on the law signed on May 27th and will be posted on the Department of Health website when available.

Do adoptees need to appear in person to receive their Original Birth Certificate?

No. Watch the Department of Health website for updates on electronic and mail-in applications for Original Birth Certificates and required forms of identification.

What Will the Applicant for the Original Birth Certificate Receive?

The applicant will receive a copy of the Original Birth Certificate, which will be clearly marked that it is not a certified copy and it may not be used for legal purposes. The Original Birth Certificate is for informational purposes only and cannot be used for legal proof of identity, citizenship, or as a substitute for an Official Birth Certificate. The information on the Original Birth Certificate is shown as it was provided by the birth parent(s) at the time of birth.

How can birth parents state their preference for contact?

The new law provides birth parents the opportunity to place on file a contact preference form and/or health history questionnaire in the sealed file. Birth parents may select options including direct interaction, contact through an intermediary, or sharing of only medical information.

For adoptions finalized before August 1, 2015, birth parents may also maintain continued privacy by directing the State Registrar to redact personal identifying information from the original birth certificate prior to release upon request from an authorized applicant. Birth parents must make this selection on or before December 31, 2016.

Birth parents will have the opportunity to revise their contact preference at any time.

When will the contact preference form be available?

The Department is currently developing the contact preference form and medical history questionnaire based on the law signed on May 27th and will post it to the Department's website. We anticipate the contact preference form will be available by July 1st.

Can adoptees receive other vital records related to their Original Birth Certificate, such as the birth parent(s) birth, marriage or death certificates?

No. The adoption severed legal familial bonds to the birth parents so the adoptee does not meet the statutory requirements at N.J.S.A. 26:8-62 for obtaining vital records of birth parent(s).